



Middlesex Genealogical Society

WINTER 1991/92 NEWSLETTER

Vol VIII, No. 4



From the Editor:

Due to other obligations and the need for new ideas for us all, the time has come for me to hand the newsletter over to someone else. I have enjoyed doing it for last 5 years, but 5 years is enough. It has given me an incentive to learn more about genealogy as I pursue the perfect articles and tidbits of information in which I think you would be interested. It has also afforded me the opportunity to learn new and interesting software on my computer.

There is not one right way to do this newsletter, certainly having a computer is not necessary. A regular typewriter with the old cut and paste method works nicely. The new editor's talents and personality should shine through the pages. I have prepared templates of the headings, etc. on each page for the next several newsletters. This is purely in the interest of making the transition as easy as possible. The new editor can either chose to use them or create her/his own. And, I will be happy to be on call to help the new editor in any way I can.

I hope one of you out there would like to take this task and run with it!!! It would also mean attending the Board Meetings (usually held about a week before our regular meetings), to keep up with events of the club.

I am available for questions at 798-6133 or you can call Dick Sarr, head of the Nominating Committee at 655-9630 to volunteer.

In other news: Lynn Hanks and Charles Cotter were appointed to the Board to replace Norm Adams and Ted Hubbell. Norm moved to Cape Cod and will be sorely missed. He has been an asset to our club for many years. He kept the Saturday Morning Workshops going at Darien Public Library and did an excellent job getting volunteers. We all hope Norm finds new and interesting genealogical concerns (there should be many) close to his new residence. Charles Scribner has kindly volunteered to take over for Norm on our Saturday Morning Workshops.

Our Genealogy Section at Darien Public Library continues to improve thanks to Pat Flowers and Ray Gross. They have it nicely organized and easy to use. The following new books have recently been purchased: *Torey's Supplement to New England Marriages Before 1700*, the *Mayflower Society's Five Generation Book on John Howland*, and the *Index to Pound Ridge Community Church*.

Our Washington's Birthday Luncheon at Silvermine Tavern is scheduled for February 15th. Bob Fatherley and Walter Jerige are again in charge of this delightful event. Watch for info in your mail about reservations.

Grant and Ruth Radmall (although now living in Utah) have completed the computer input for our next publication which finishes the Spring Grove Cemetery records. Thanks Grant and Ruth!!! Negotiations are currently going on for the best possible method and price of publication. Stay tuned as it should be in our hands by early spring.



MIDDLESEX GENEALOGICAL SOCIETY

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The Middlesex Genealogical Society was established for the purpose of helping those interested in genealogy to pursue the investigation of their family heritage and to provide guidance in research to that end. The Society holds at least four meetings with a program and speaker during the year, has established a Genealogy section at the Darien Public Library, provides research assistance on Saturday mornings (10-12) at the Library and publishes a quarterly Newsletter. Annual membership dues are \$10/individual and \$15/couple or family.

Original articles, notices of genealogical interest, and queries are welcomed for the newsletter. Send to the Editor:

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Land Records

Locating Land Records for the Public Land States

by William Dollarhide

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Prior to the twentieth century, our American ancestors did not pay income tax. A major source of revenue for the federal government was the sale of public lands. Of course, by 1920, virtually all of the good farmland in America had been sold and Uncle Sam had to pick our pockets for operating cash.

My great-great-grandfather Jesse Dollarhide died in 1840 without the benefit of ever knowing what "IRS" stood for. In fact, outside of voting in national elections, Jesse's only direct contact with the U.S. government was when he purchased 160 acres, a quarter-section of prime farmland in Tippecanoe County, Indiana. Jesse bought the land at a Federal Land Office conveniently located in Crawfordsville, Indiana, about 30 miles south of where the land was located. Near Washington, DC, copies of Jesse's application (petition) and proof of ownership (patent) plus other papers rest in a file that can be copied for anyone who wants to see them - with a little work. Two sets of records were created at the land office in Crawfordsville, where two clerks maintained two separate entries for every land transaction (to keep each other honest). Both books still exist.

Since Jesse Dollarhide's land purchase was an original entry, there is no known record of that original sale in the courthouse for Tippecanoe County, Indiana. Although some counties maintained records of original entries of land, they were not required to do so.

When Jesse died without a will, his estate was settled in the probate court of Tippecanoe County and numerous papers make reference to his land, described as the "Northwest 1/4 section, Section 4, Township 24 North, Range 4 West". Subsequent deeds recorded in Tippecanoe County show later owners of the same land, but to find any paperwork relating to the original sale, it was necessary to learn how one goes about getting such records from the source: the federal government.

Another ancestor, Noah McNemar, left Louisa County, Iowa, in 1850 to seek his fortune in the gold fields of California, did fairly well, and in 1852, traveled up to Washington County, Oregon. Noah had recently been married, and took advantage of a method to acquire free land in Oregon called a Donation Land Claim (a forerunner of the Homestead Act). The papers related to Noah's land transaction recorded his exact date of birth and

that he was native of Ohio; the name of his new wife as Nancy Kurtz; the exact date and place of their marriage, and what county held the marriage record - because a married, U.S. citizen was entitled to double the acreage of a single man. Those original papers showing genealogical relationships, dates, places, signatures, etc., were discovered in a land entry file maintained at a federal depository, not the state or county level.

Noah was born in Ohio, but if he had been a naturalized citizen, he would have had to prove his citizenship with documentation. This provision was also true for Homestead Entries (1862 and after), making these types of land records very valuable to genealogists, particularly for immigrants who applied for Homestead land. There are reports that the National Archives has a few land entry files containing original marriage certificates, naturalization certificates, and original bible pages that were submitted by land grant applicants as proof of marriage or citizenship.

If you have ancestors who bought or sold land privately, any deeds relating to the sale or transfer of land were recorded at the county level. In a typical courthouse, the Grantee/Grantor books are indexes used by the county clerk to locate a recorded deed, as a written entry in another book. The original deed document remained in the hands of the land owner. But, if your ancestor was granted an original entry of land in one of the Public Land states, the land records are still in the hands of the federal government.

Federal Land: A Short History

A major concern for the new federal government created by the first thirteen colonies was how to finance its operations. Responsibility for such things as customs and duties on commerce with other countries was the first of the many powers given up by the thirteen original states. But for the new federal government to have an adequate source of revenue, it was necessary for the original states to cede (give up claim to) western lands they each claimed as their own. It was not easy to ask a land-rich state such as Georgia to give up its land without a fight. Georgia resisted longer than the other states, but as the last state to ratify the constitution, relinquished all claims to lands now comprising the states of Alabama and Mississippi.

State Land States vs Public Land States

In 1787, the first western areas ceded by the state governments were contained in the "Territory Northwest of the Ohio River". The old Northwest Territory was the first block of public land to be

sold by the federal government, where several experiments took place in how to survey the land, and dispose of the land to private parties.

The short-lived "Territory Southwest of the Ohio River" became the state of Tennessee, which retained the right to the land because it had been part of North Carolina. The thirteen original states and those states created from within their unceded boundaries became state land states, while states created from the public domain, (areas ceded to or obtained by the Federal Government) became Public Land states. Prior to 1803, the western boundary of the U.S. was the Mississippi River, and virtually all of the original thirteen states held claims that extended that far west. In fact, several of the states claimed the same land areas.

A compelling reason for creating a federal government was to have an arbitration body for disputes between the new states, and the arbitration of land claims became one of the first major success stories of the fledging United States government. Of course, the federal solution was to simply take over control of the disputed land claimed by the states.

From the original thirteen, the states of Vermont, Maine, Kentucky, Tennessee, and West Virginia became state land states, their areas all drawn from within the bounds of the original thirteen states after each had ceded their western lands.

Texas and Hawaii retained ownership of their lands for different reasons: Texas became a state land state as part of an exchange of land claims negotiated between the U.S. and the Republic of Texas; as did Hawaii, another Republic with well established land divisions and ownerships honored as part of its annexation into the U.S.

All other states, a total of thirty (30), became public land states. The expansive areas added to the United States as part of the Louisiana Purchase are public land states, plus the land annexed to the U.S. resulting from the war with Mexico and land acquisitions, such as Florida and Alaska.

Land records for the state land states are maintained by each of those states, while records for all the public land states are maintained by agencies of the federal government. It is the Public Land records we are discussing here.

Land Measurement

The government of the United States under the direction of the Congress first experimented with new survey systems and ways of disposing of public lands in what is now Ohio, beginning soon after the creation of the Northwest Territory in 1787. There was good reason for this, because the U.S. surveyors

were disenchanted with the land measurement system the colonies had inherited from the British. However, the old "metes and bounds" system of land measurement is still used in the state land states. It is based on the lay of the land, including streams, trees, roads, rocks, and natural or man-made features as points of reference for identifying a piece of property.

In all of the Public Land states, the federal government opted for a system of measuring land that had some security for the reference points established, rather than relying on natural features that may burn down (as with trees) or change course (as with streams).

What became a unique American creation was a method of surveying land called the Rectangular Survey System, a grid system in which a north-south line called a "Principal Meridian" was established from a known point on the ground. Another line running east-west called a "Base Line" intersects the Meridian. With these two lines established and heavy stone monuments erected on the ground, surveyors could portion off squares, each six miles to a side, and relating the position of the squares to the intersection point of the meridian and base line. One square is identified as a Township (not to be confused with a named "township" used as political sub-division in some states, or a named "town" found in New England states). The township squares are numbered north and south of the Base Line, while a range indicates the position of a township east and west of the Principal Meridian. Within each 6x6 mile township square, a further division was made into 36 one-mile by one-mile squares, each called a section and numbered 1 through 36. One square mile equals 640 acres of land, or one section, and is the basis for land measurement in the public land states. Smaller divisions were indicated as parts of a section, such as the "Northwest 1/4 section, section 6, Township 2 North, Range 3 East."

NOTE: If you want an excellent description of the Rectangular Survey System in America, write and request a FREE booklet, Land Measurement Manual, available from Chicago Title, Corporate Communications and Advertising, 111 W. Washington St., Chicago, IL 60602.

After several experiments in Ohio, the "First Principal Meridian" was established in 1798 to survey land in Ohio and Indiana, which is the same line as the border between those two states. The Second Principal Meridian was established in central Indiana in 1805, and several more meridians were established as the western expansion continued.

As soon as newly opened land was surveyed, a Land Office was established, operated by federal employees under the Surveyor General, who was the head of the Government Land Office, currently called the Bureau of Land Management. The old Land District boundaries are not easy to locate today, because the boundaries changed as land was sold and new areas opened for sale.

A very orderly method emerged for the surveying and subsequent sale of land, repeated many times in the Public Land territories and states. But before the public land could be surveyed or sold, treaties were negotiated with the various Indian tribes, and the land purchased. A study of the Indian Cessions is an excellent way to learn when an area of land was available for white settlement. For example, no surveys were conducted in what is now the state of Iowa until after the Blackhawk War of 1836, when a treaty was signed and prime farmland was opened up for white settlement. Most new land offices were very popular places, the opening of new territory for sale often creating a mad dash for land sales and leaving us with the phrase still used today, "doing a land-office business".

Federal land districts covered areas ranging from a few counties to a whole territory or state. A land office was established in a town near the area set aside for public land sales. Two clerks recorded the land transactions, which may have been cash sales, credit sales, homestead entries, or other transactions. The officials kept daily journals and account ledgers, plus two books for recording the land entries: (1) the tract book, which listed the entryman (the person making the purchase or claim) along with the township and range (T&R) description, and (2) a plat book, which had a page with a diagram for one township showing all patents within that 6 x 6 mile square.

After Jesse Dollarhide visited the land office in Crawfordsville, Indiana, the file number for his patent (certificate of ownership) was logged into a tract book on the page representing the township. A clerk drew lines to show the exact size and location of his one quarter section of land on the plat diagram. His name appeared on the tract book, along with a date and legal description of the property he purchased, but only his patent number appeared in the plat book. All other paperwork, including correspondence, now referred to as the land entry files, found their way to a Government Land Office - and most of these records (or copies) were transferred to the National Archives, the surviving manuscript plats to the Bureau of Land Management (BLM) office in Alexandria, Virginia,

and other surviving copies to BLM district offices in various states.

The amount of genealogical information in the land entry files varies, but they all can provide important clues for genealogists. The tract books should (at the very least) reveal places and dates when a person was in a certain area. But the tract books are most useful for locating a "file number" for a particular land transaction. The plats, however, are less useful because they are mostly in poor condition (except for most western states where considerable copying and restoration work has been done). Tracking down the land records solved my genealogical problem - as it turned out there was a Jesse Dollarhide, Jr, and a cousin named Jesse Dollarhide, all of whom bought land in Indiana 1830-1855. The public land records provided evidence to help sort out the "who, when, and where" questions that need to be answered.

Finding the Land Records

It is important for genealogists to know how the land was surveyed and where it was sold by the U.S. government. You need to know the actual name of the land office (the town where the office was located) before you can locate a file if the land is in the eastern public land states. I first learned that Jesse Dollarhide may have bought his land at Crawfordsville by reading a little book called, *American Expansion: A Book of Maps*, by Randall D. Sale and Edwin D. Karn. This book shows the boundaries of all territories and states for each census year, 1790-1900, plus it shows where the land offices were located.

The steps to find land records depend on whether the land was in the eastern or western states, before or after 1908, or if the Suitland Reference Branch (of the National Archives) that holds the land entry files has a WPA-generated name index. Here is an overview provided by that agency:

"The Suitland Branch has custody of the land entry files and abstract books for Federal public domain states and the record copies of patents and land office tract books for western states. (The mailing address for information and requests for land entry records is given on page 29).

1) Requesting a Search

There is no specific form used to request searches in land records. Your written request, however, should contain some basic information, as outlined below. Do not send money in advance of receiving a price quote for making copies.

2) Public Land States Only

Federal land records document only the first transfer of title to land from the United States to another party. Records of later transactions may be found in county records.

There are Federal land records for all states except the thirteen original states, Vermont, Kentucky, Tennessee, Maine, West Virginia, Texas, and Hawaii. These states were never part of the Federal public domain.

Most land entry files for the years 1800-1908 are arranged by state, land office, kind of entry (such as cash, homestead), and land entry file number (such as a Homestead Final Certificate number).

3) Land Entries Before 1908

Indexed States: For the pre-1908 land entry files there are name indexes for Alabama, Alaska, Arizona, Florida, Louisiana, Nevada, and Utah.

Western States: For the other public land states west of the Mississippi River (excluding Arkansas, Missouri, Iowa, and Minnesota) land entry files can be located by the researcher providing the name of the state and either a legal description of the land (section, township, range) or the name of the land office, type of file, and land entry file number. Legal descriptions of land can usually be obtained from the county recorder of deeds.

Eastern States: For the public domain states east of the Mississippi River (as well as Arkansas, Missouri, Iowa, and Minnesota), the researcher must provide the name of the state, and the name of the land office, type of file, and land entry file number. This information can normally be obtained from the Bureau of Land Management (BLM) by providing the BLM with a legal description of the land (section, township, range). (The BLM addresses are given on page 29 and 30).

4) Land Entries After 1908

The post-1908 land entry files are arranged numerically. There are name indexes for these records.

5) Military Bounty Land Warrants

Military bounty land warrants are arranged by act of congress, certificate number, and, for warrants under the acts of 1847-1855, by number of acres. There are name indexes for the Revolutionary War and most of the War of 1812 warrants but not for the warrants under the acts of 1847-1855. To identify warrants under these acts, use NATF Form 80, "Order for Copies of Veterans Records", to request a search of bounty land warrant applications among the military service records held by the

General Reference (NNRG), Textual Reference Division, National Archives and Records Administration, Washington, DC 20408. After obtaining the warrant application number, furnish this information to the Suitland Reference branch (NNRR) for a search for the surrendered warrant and other records relating to its use to acquire land. (The above quoted information was extracted from NA Form 14019 (3-91), National Archives and Records Administration).

Summary - Land Entry Files

For the western states (as defined on the map on the next page), the starting point is to write to the Suitland Branch. For the eastern states, you must provide the property description to the BLM office in Alexandria to obtain the three items needed by the Suitland Branch to access the land entry files, which are: (1) the name of the land office, (2) the type of land transaction (cash sale, credit sale, homestead entry, etc.), and (3) the file number.

A) Steps to Follow (Eastern States):

Step 1: Use the county grantor/grantee index books for the county where your ancestor lived to locate a deed record (when the property was sold or the ancestor died and the property was transferred to his heirs). A deed subsequent to an original land entry will refer to a township/range property description in all public land states.

Another way to determine a property description is to find a land ownership map for the area. Many land ownership maps were compiled for one county in an atlas or as individual map sheets, and a library in a town near the subject property may have such maps. (For a list of books describing land ownership maps and atlas collections, see William Thorndale, "Land and Tax Records", (page 229), in *The Source: A Guidebook American Genealogy*, Ancestry, Inc., 1984).

Step 2: Once you have a township/range description, write the BLM Eastern States Office (Address #2 below) which has the tract books for the thirteen eastern states. You should mention that you are a genealogist and want to order the land entry files at the Suitland branch of the National Archives and need to know the land office, type of transaction, and file number. This information can be obtained from the BLM's maps, tract books, and other finding aids. Indicate the entryman's name, approximate date, state, and complete property description in your written request.

B) Steps to follow (Western States):

Write to the Suitland Branch (address #1 below), providing the three items required to obtain copies of land entry files, OR, provide the name of the entryman, state, and complete township/range description. As an alternative, for the western states you may visit or write to a local BLM office if you know the property description for the land, and that office can provide you with the information (land office, type of transaction, and file number) needed to access the land entry files at the Suitland Branch. It should be noted that these local records may not be as complete as the record copies at the Suitland Branch, but addresses for the unindexed western states offices are shown below.

Microfilmed Records

The LDS Family History Library has on microfilm the tract books for all public land states (except Missouri and Alaska). However, the microfilm image for these documents is very difficult to read. A roll of microfilm can be rented and used at a local Family History Center where the information can be scanned. Check local directory listings for a Church of Jesus Christ of Latter Day Saints and inquire as to their nearest Family History Center and hours of operation.

Addresses:

For the seven states which have name indexes (see map), you should provide the name of the entryman, the state you are researching, plus any other information known about the property or transaction write to the Suitland Branch listed below and request a search.

(1) Suitland Reference Branch (NNRR), Textual Reference Division, National Archives and Records Administration, Washington, DC 20409. Phone - reference section: (301) 7637410. This is the major depository for surviving manuscript land entry files for all public land states. This facility also has the record copies of tract books from western states (see "western states" as defined on the map). For the western states, you have the option of visiting or writing to a BLM district office listed below or the Suitland Reference Branch.

(2) Eastern States Office, Bureau of Land Management, 350 South Pickett St., Alexandria, VA 22304. Phone: (703) 461-1400. This is the depository for surviving manuscript tract books for all eastern public land states, as defined on the map. Except for tract books that may be available on microfilm, this is the primary source for such requests within the thirteen (13) eastern public land states.

**Bureau of Land Management (BLM)
State Offices**

For states that do not have a name index to the land entry files, follow the instructions (step 2, page 29), and write to one of the state offices listed below:

California State Office, BLM, Federal Office Bldg., Room E-2841, 2800 Cottage Way, Sacramento, CA 95825-1889. Phone: (916) 9784707. This depository has copies of plat and tract books from California land offices only.

Colorado State Office, BLM, 2850 Youngfield St., Lakewood, CO 80215. Phone: (303) 239-3700. This depository has copies of plat and tract books from Colorado land offices only.

Idaho State Office, BLM, 3380 Americana Terrace, Boise, ID 83706. Phone: (208) 3341401. This depository has copies of plat and tract books from Idaho land offices only.

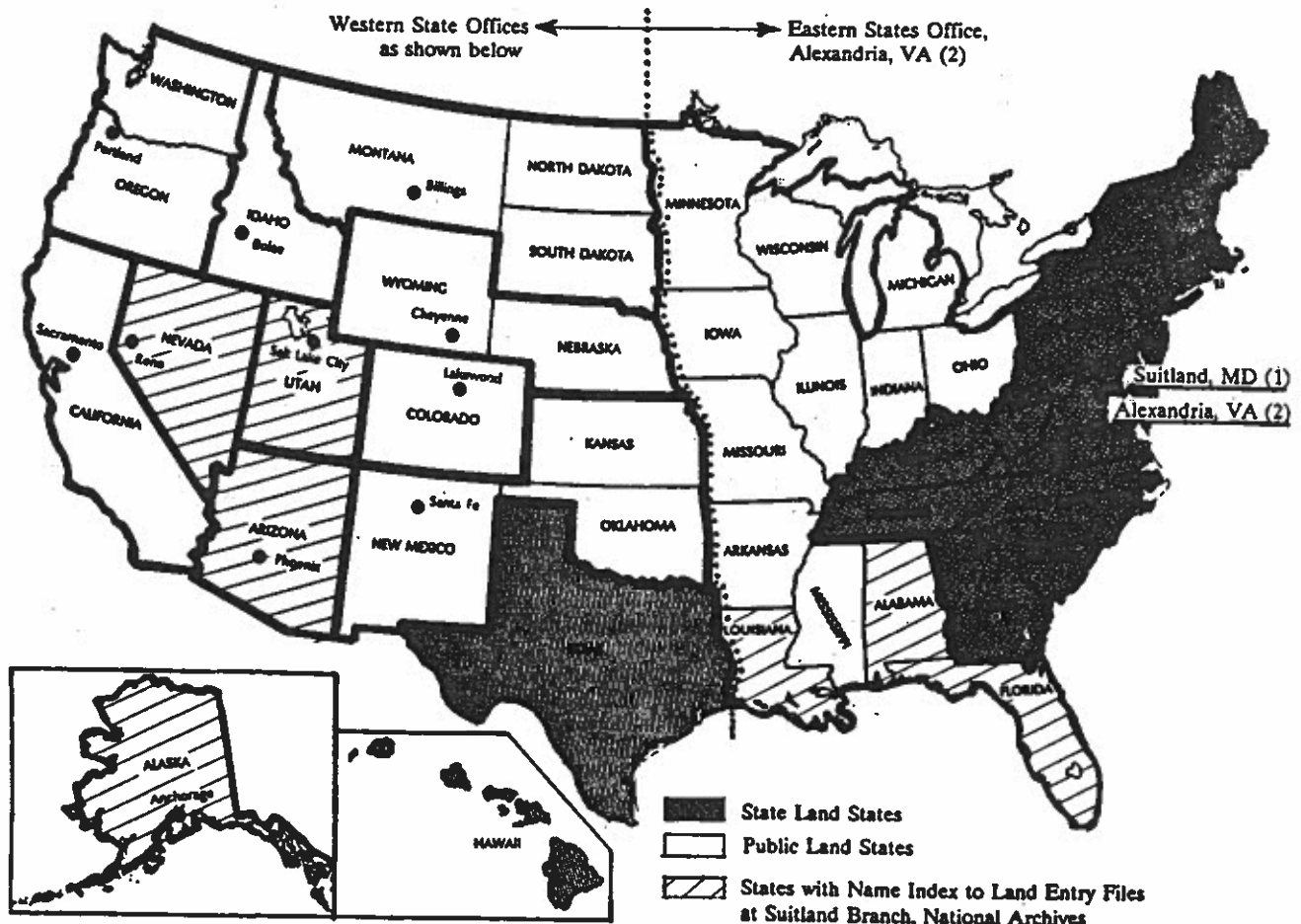
Montana State Office, BLM, Granite Tower, 222 N. 32nd St., (mail: PO Box 36800), Billings, MT

59107. Phone: (406) 255-2904. This depository has copies of plat and tract books from Montana, North Dakota, and South Dakota land offices.

New Mexico State Office, BLM, Joseph M. Montoya Federal Building, South Federal Place, (mail: PO Box 1449), Santa Fe, NM 87504-1449; Phone: (505)988-6030. This depository has copies of plat and tract books from Kansas, New Mexico, and Oklahoma land offices.

Oregon State Office, BLM, 1300 N.E. 44th St., (mail: PO Box 2965), Portland, OR 97208. Phone: (503) 280-7024. This depository has copies of plat and tract books from Oregon and Washington land offices.

Wyoming State Office, BLM, 2515 Warren Ave., (mail: PO Box 1828), Cheyenne, WY 82003. Phone: (307) 775-6001. This depository has copies of plat and tract books from Nebraska and Wyoming land offices.



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Application for Membership



Middlesex Genealogical Society
45 Old Kings Highway North
Darien, CT 06820

Single (\$10) _____
Couple (\$15) _____

Name _____

Address _____

Zip _____

Phone _____